

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANIEL FRANCIS FIRST RAISED,

Defendant.

CR-23-18-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on May 21, 2025. (Doc. 126.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on May 20, 2025 (Doc. 124.) The United States accused Daniel First Raised (First Raised) of violating the conditions of his supervised release by: (1) consuming alcohol on March 1, 2025; (2) failing to report to Connections Corrections on March 3, 2025 for inpatient treatment as instructed by his probation officer; (3) committing another federal,

state or local crime by being charged on May 7, 2025, with Obstructing Justice, in violation of Chippewa Cree Tribe Law and Order Code IV-6-2; and (4) using methamphetamine and fentanyl on or about May 6 and 7, 2025. (Docs. 113 and 122.)

At the revocation hearing, First Raised admitted he had violated the conditions of his supervised by: (2) failing to report to Connections Corrections on March 3, 2025 for inpatient treatment as instructed by his probation officer; and (4) using methamphetamine and fentanyl on or about May 6 and 7, 2025. The Government moved to dismiss allegations (1) and (3), which the Court granted. First Raised's admitted violations, 2 and 4, are serious and warrant revocation of his supervised release (Doc. 124.)

Judge Johnston found that the violations First Raised admitted proves serious and warrants revocation of First Raised's supervised release and recommends a term of custody of 4 months, with 41 months of supervised release to follow. During the term of his supervised release, First Raised shall be placed in an inpatient substance abuse treatment facility at the discretion of his probation officer and shall also be places in a residential re-entry center for a period of up to 180 days at the direction of his probation officer. (Doc. 126.) The Court advised First Raised of his right to appeal and to allocute before the undersigned, he waived those rights. (Doc. 124.)

The violation proves serious and warrants revocation of First Raised's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 126) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Daniel Francis First Raised be sentenced to a term of custody of 4 months, with 41 months of supervised release to follow. During the term of his supervised release, First Raised shall be placed in an inpatient substance abuse treatment facility at the discretion of his probation officer and shall also be placed in a residential re-entry center for a period of up to 180 days at the direction of his probation officer.

DATED this 4th day of June 2025.



Brian Morris, Chief District Judge
United States District Courts